

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY JOHNSON
PETITIONER,

v.

UNITED STATES OF AMERICA
RESPONDENT,

CASE NUMBER: 21-cv-16612

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MOTION FOR AN EXTENSION OF TIME
TO FILE A REPLY TO THE GOVERNMENT'S
RESPONSE TO THE PETITIONER'S 28 U.S.C. § 2255

COMES NOW ANTHONY JOHNSON (HEREINAFTER MR. JOHNSON, JOHNSON, OR PETITIONER), PRO SE AND RESPECTFULLY MOVES THIS HONORABLE COURT FOR AN EXTENSION OF TIME TO FILE A REPLY TO THE GOVERNMENT'S RESPONSE TO PETITIONER'S 28 U.S.C. § 2255 MOTION. PETITIONER WILL SHOW THIS HONORABLE COURT AS FOLLOWS:

- 1.) THIS IS PETITIONER'S FIRST REQUEST FOR AN EXTENSION OF TIME TO FILE A REPLY TO UNITED STATES RESPONSE TO PETITIONER'S § 2255 MOTION.

- 2.) On 8.2.21 PETITIONER WAS TRANSFERRED FROM FCI FAIRTON TO FCI HAZELTON IN WEST VIRGINIA WHEREAS HIS PERSONAL PROPERTY, INCLUDING LEGAL DOCUMENTS / MATERIALS HAVE YET TO BE SHIPPED FROM THE PREVIOUS INSTITUTION AS SAID LEGAL MATERIALS THAT ARE LOCATED IN PETITIONERS PROPERTY, ARE NECESSARY AND/OR NEEDED FOR PETITIONER TO ADEQUATELY REPLY TO THE HONORABLE COURTS.
- 3.) PETITIONER CURRENTLY REPRESENTS HIMSELF PRO-SE. PETITIONER HAS NO TRAINING AND/OR EXPERTISE IN THE FIELD OF LAW AND NEEDS THE ADDITIONAL TIME TO RESPOND ADEQUATELY TO THE UNITED STATES 23 PAGE RESPONSE.
- 4.) DUE TO THE NOVEL CORONAVIRUS AND THE NEW COVID-19 DELTA VARIANT PANDEMIC AT FEDERAL CORRECTIONAL INSTITUTION (FCI HAZELTON) AND THE INSTITUTIONS MODIFIED CONTROL MOVEMENTS, PETITIONER NEEDS ADDITIONAL TIME ^{TO} READ THE CASE LAWS CITED BY THE UNITED STATES AND TO CONDUCT HIS OWN RESEARCH IN ORDER TO PROPERLY PREPARE AND FILE HIS OWN REPLY, ALONG WITH PETITIONERS LIMITED ACCESS TO THE INSTITUTIONS LAW LIBRARY, ADDITIONALLY TIME TO REPLY, WOULD NOT ONLY BE MOST APPROPRIATE, BUT ALSO, MOST APPRECIATED.

5.) THIS MOTION IS MADE IN THE INTEREST OF JUSTICE AND NOT MADE TO DISRUPT AND/OR MEANT TO DELAY THE PROCEEDINGS. THE UNITED STATES WILL NOT BE PREJUDICED BY A NINETY (90) DAY DELAY.

WHEREFORE, BASED ON THE ABOVE, ANTHONY JOHNSON, RESPECTFULLY URGES THIS HONORABLE COURT TO GRANT HIM A NINETY (90) DAY EXTENSION OF TIME TO FILE HIS REPLY TO THE UNITED STATES RESPONSE TO PETITIONERS 28 U.S.C § 2255 MOTION.

DECLARATION

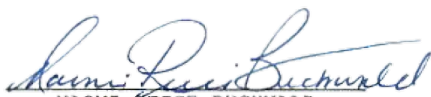
I, ANTHONY JOHNSON, HEREIN DECLARE UNDER PENALTY OF PERJURY THAT IN THE PETITIONER PRO-SE IN THE ABOVE STATED MATTER AND THAT THE FOREGOING IS TRUE AND CORRECT BASED UPON INFORMATION AND BELIEF AND NOT WILLFULLY FALSE. I MAKE THIS DECLARATION PURSUANT TO 28 U.S.C § 1746 THIS 17TH DAY OF OCTOBER, 2021.

Respectfully Submitted,

A. Johnson

ANTHONY JOHNSON # 81532-004
PO Box 5000
BRUCETON MILLS, WV 26525

Application granted. Reply papers are due February 7, 2022. **SO ORDERED.**


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
November 5, 2021

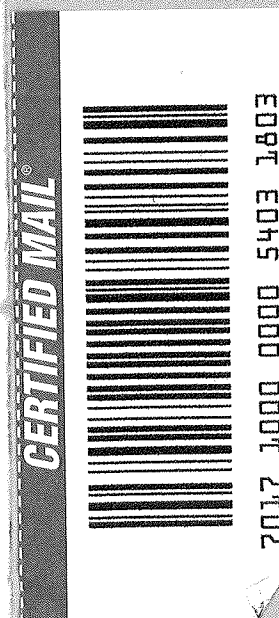
(3)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 17th DAY OF OCTOBER, 2021, A TRUE AND CORRECT COPY OF THE FOREGOING WAS MAILED TO THE CLERK OF COURT FOR THE DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK FOR UPLOADING IN THE CM/ECF SYSTEM, WHICH SHALL SEND ELECTRONIC NOTIFICATION TO THE FOLLOWING:

UNITED STATES ATTORNEY OFFICE
AUSA PATRICK R. MORONEY
SOUTHERN DISTRICT OF NEW YORK

Anthony Johnson #81532-004
Federal Correctional Institution
PO Box 5000
Bruceston Mills, WV 26525



ATTN: CLERK OF COURTS
PRO-SE INTAKE UNIT
U.S. DISTRICT COURT
500 PEARL ST.
NEW YORK, NY 10007

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~LEGAL MAIL~

